EFFECTS OF MARRIAGES.

i. Where the marriages are registered under this Regulation, the incidents of such marriages as setforth herein shall begin to operate on all concerned forthwith.

ii. Where there are express provisions in this Regulation, no other law shall bind them with regard to such matters ; all such in any other law custom or usage that contradicts the provisions herein contained shall stand amended for the purpose.

iii. Properties and rights to properties belonging to the married parties prior to their marriage shall remain their separate property, unless voluntarily contracted otherwise by a registered instrument by the parties themselves.

iv. Properties and rights to properties acquired by either of the married parties during the continuance of their marriage shall be considered as their common property in respect of which they shall be deemed "tenants-in-common."

v. At dissolution a separation of such common property may be claimed and the respective shares of each in their earnings unless agreed to otherwise by the parties themselves, shall be determined by the Court on the basis of their contribution. Here compensation is set for the part a wife plays in building up the joint house hold and not cash alone brought by the husband.

vi. Protection provided for children under recognised conjugal union and in the absence of such,

as well as restrictions imposed on the parents' right of absolute "Will."

പുതുതായി ഒരു സംഗതിക്കൂടി ഇതിൽ ചേർക്കണം. Absence of marriage ൽ കുട്ടികൾക്കു ഒരു protection ആവശ്യമാണ്.

vii. Right to maintenance as established herein.

ABSENCE OF MARRIAGES.

6. i. Children of unmarried parents enjoy the same rights as Children born of marriages and of illegal connections as of valid ones.

ii. In order to protect the interests of children any woman has the right during pregnancy or soon after birth of a child to lodge a declaration before such officer as the Government prescribes stating the name and address and marks of identification if any of the child's father.

iii. The officer shall inform the person stated in the declaration as father about it ; if no repudiation is presented within a month, from the date of receiving such notification, the person mentioned shall be inscribed as the father of the child.

Within a year from the receipt of the notification, the person specified as the father may commence an action in court against the mother on the grounds of false statements, etc.

The mother also has the right within one year after the birth of the child, to sue in court for the establishment of paternity, etc.

iv. In case of no entry concerning parents with the Register of births for any Kshatriya child hereafter born, or incorrectness or incompleteness or illegibility therein, the persons concerned shall have to prove or disprove such parenthood in court when called upon to do so.

MR. REVATI NAL RAMA VARMA RAJA (*Edavagai*): ശിശു പ്രസവിച്ചു കഴിയുമ്പോൾ വേറെ ഒരാളിന്റെ ഛായ ആയാലോ?

MR. L. R. RAJA RAJA VARMA KOILTAMPURAN (*Changanachery* cum *Peermade*): ഛായ മാത്രമല്ലല്ലോ തെളിവിനു നോക്കുന്നത്. എല്ലാ മനുഷ്യരും Adam and Eve മുതൽ ഒരേ ഛായ ആയിരിക്കണമെന്നു ഒരു വ്യാഖ്യാനം കൊണ്ടുവന്നാൽ വിഷമമായിതീരും.

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DEPUTY PRESIDENT: I am just bringing to your notice that both under the English and Indian law, as a matter of public policy when the husband had access to the wife and when a child is born under such circumstances it is a conclusive presumption that the law takes that the husband is the father of the child... *conclusive* and not rebuttable presumption. In the present instance you throw open the door for the paternity to be denied even at an early stage, within a few months after the birth of the child. If you are very sensitive in the matter of purity there are other considerations also of policy which should not be lost sight of. The interests of public morality demand that where the husband had access to the wife it must be a conclusive presumption that the child was born of him.

CESSATION OF MARRIAGES..

7. (*a*) A marriage ceases with the death of either party or by the presumption of the Court to the effect.

In the latter case on an application made by the surviving before the District Munsiff within the local limits of whose jurisdiction the marriage is registered, the court after duly publishing notices standing for four months and after satisfying itself may pass an order certifying the marriage terminated.

(*b*) A marriage may be dissolved during the life-time of both the parties by the mutual consent of the parties or by the unilateral desire of either of them; such a dissolution may be registered in the manner prescribed.

DEPUTY PRESIDENT: I am merely bringing to your notice that in civilised countries this is regarded as high public policy.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): ഡൈവോർസുചെയ്യ കഴിഞ്ഞാൽ സ്ത്രീക്കു ചിലവിനു കിട്ടാനുള്ള അവകാശമുണ്ട്. ഇന്നു ഭർത്താക്കന്മാരുടെ ചിലവുകൂടെ സ്ത്രീകളുടെ കൂടുംബത്തിൽ നിന്നാണു നടത്തുന്നതു്. ആ സ്ഥിതിക്കു ക്ഷത്രിയസമുദായത്തിനു എടുപ്പോഴും ഭർത്താവിനെഞെക്കിപിഴിയണമെന്നാവശ്യമില്ല. യഥാർത്ഥത്തിൽ ചിലവിനു കിട്ടേണ്ട ആവശ്യമുണ്ടെന്നു കോടതിയ്ക്കോ ലോകസാമാന്യത്തിനോ ബോദ്ധ്യം വന്നാൽ അവക്കു നിശ്ചയമായിട്ടും ചിലവിനു കിട്ടാൻ അർഹതയുണ്ട്. ഒരു വലിയ സ്ഥാനത്തിരിക്കുന്ന ഒരു സ്ത്രീക്കു നിസ്സാരമായ ഒരു ഭർത്താവിൽ നിന്നും ചിലവിനു കിട്ടാൻ അവകാശമുണ്ടു് എന്നൊരു ക്ലാസ് ഇവിടെ വയ്ക്കേണ്ട ആവശ്യമില്ല. അതിനാൽ ഞാൻ അതിൽ ഭിന്നാഭിപ്രായം രേഖപ്പെടുത്തിയതാണു്.

MR. A. THANU PILLAI (*Trivandrum*): അങ്ങിനെമെയിൻറനൻസിനു് ആവശ്യപ്പെടുമോ?

DEPUTY PRESIDENT: If it is a legal right it can be claimed even when the wife and the child are able to maintain themselves otherwise.

MR. A. THANU PILLAI (*Trivandrum*): My question is whether it is likely that a woman occupying decent position in society and who can maintain herself would care to demand maintenance from her husband who is not in a position to pay.

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